

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA

In re:

Steven Dale Deaton,

Chapter 7

Case No. 23-02527-5-PWM

Debtor.

MXR Imaging, Inc.,

Plaintiff,

v.

Adversary Proc. No. 23-00102-5-PWM

Steven Dale Deaton,

Defendant.

JOINT MOTION FOR ENTRY OF AGREED ORDER AND JUDGMENT

The Parties have reached a settlement in principle in this case. To facilitate the completion of settlement, the Parties submit a proposed order along with this motion and jointly request that the Court enter an order and judgment reflecting the settlement's key terms. The terms of the proposed order are as follows:

- Judgment in favor of Plaintiff MXR Imaging, Inc. in the amount of \$100,000;
- The judgment is deemed non-dischargeable in accordance with 11 U.S.C. §§ 523(a)(2)(A), 523(a)(4), and/or 523(a)(6);
- Plaintiff may not take any steps to enforce the judgment until 45 after entry of the order and judgment, to allow the Parties sufficient time to prepare a definitive settlement agreement consistent with the terms of the order and judgment;
- All current case deadlines are continued;
- If, for any reason, the Parties are unable to execute a final settlement agreement within the 45-day period, Plaintiff may file such motion(s) as it deems necessary seeking for such other and further relief as may be proper; and

- The Court retains jurisdiction over this matter for all purposes, including enforcing the terms of the order and judgment.

For these reasons, the Parties respectfully request that the Court grant this Joint Motion and enter an order consistent with the terms of the proposed order and judgment submitted to the Court along with this motion.

Date: January 16, 2024

Respectfully submitted,

MXR IMAGING, INC.

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Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on the date listed below, I filed the foregoing document using the Court's CM/ECF system, which will effect service upon all counsel of record.

Date: January 16, 2024

By: /s/ Benjamin S. Morrell _____
Benjamin S. Morrell
Counsel for Plaintiff